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EXAMINER

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/976,632
Filing Date: October 12, 2001
Appellant(s): BROWN ET AL.

Harden E. Stevens, III
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief, filed March 02, 2006, appealing from the Office action mailed November 18, 2005.

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

A statement identifying the related appeals and interferences which will directly affect or be directly affected by or have a bearing on the decision in the pending appeal is contained in the brief.

The statement of the status of the claims contained in the brief is correct.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendments After Final*

No amendment after final has been filed.

(5) *Summary of Invention*

The summary of invention contained in the brief is correct.

(6) *Grounds of rejection to be reviewed on appeal*

The appellant's statement of the issues in the brief is correct.

1. The rejection of claims 1-33 under 35 U.S.C. 102(e) as being anticipated by Bertram et al (U.S. Patent No. 6,369,820, hereinafter, "Bertram").

(8) Claims Appealed

The copy of the appealed claims contained in the Appendix to the brief is correct.

(9) Prior Art of Record

6,369,820

Bertram et al

04-2002

(10) Grounds of Rejection

Claims 1-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Bertram et al (U.S. Patent No. 6,369,820, hereinafter, "Bertram"). This rejection is set forth in a prior Office Action, mailed on November 18, 2005.

With respect to claim 1, Bertram discloses, providing a graphical user interface screen, see (14, user interface, fig. 1A, col. 3, lines 10-18); receiving selection of an item (monitoring attributes, for instance, CPU utilization, col. 3, lines 27-39) in the graphical user interface screen (col. 3, lines 26-35, user requests for viewing data); and in response to selection of the item, accessing database demographic information stored in a database system (i.e., querying monitored data stored in each system (10 and 22-40 in fig. 1A-B), col. 3, lines 27-46) and displaying that information in graphical

Art Unit: 2166

format displaying the database (CPU) demographics information in graphical format, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59, according to user selection for viewing monitored information (CPU utilization, database), fig. 4A-B shows database (CPU) demographic information in graphical format).

With respect to claim 2, Bertram discloses, displaying the database demographics information in text format, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59).

With respect to claim 3, Bertram discloses, displaying the database demographics information in a format different from a text format, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59).

With respect to claim 4, Bertram discloses, interface to access the database demographic information, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59).

With respect to claim 5, Bertram discloses, application program interface to depict database demographics information, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59, col. 3, lines 39-46).

With respect to claim 6, Bertram discloses, storing database demographics information in a database, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59).

With respect to claim 7, Bertram discloses, storing file database demographics information in a query capture database, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59).

With respect to claim 8, Bertram discloses, displaying the database demographics information on a per-access module basis, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59, col. 3, lines 39-46).

With respect to claim 9, Bertram discloses, displaying in at least one of a bar chart format and a line graph format, see (col. 3, lines 19-57).

With respect to claims 10, Bertram discloses, displaying storage system utilization, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59, CPU utilization, col. 3, lines 27-39).

With respect to claims 11, Bertram discloses, displaying storage system statistics information, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59, CPU utilization, col. 3, lines 27-39).

With respect to claim 12, Bertram discloses, displaying the storage system utilization associate with each access module, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59, CPU utilization, col. 3, lines 27-39).

With respect to claim 13, Bertram discloses, displaying row count of a portion of the table, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59).

With respect to claim 14, Bertram discloses, average row size, see (col. 3, lines 19-57).

With respect to claim 15, Bertram discloses, distribution of the number of blocks with each access module, see (col. 3, lines 19-57).

With respect to claim 16, Bertram discloses, pool space utilization, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59).

With respect to claim 17, Bertram discloses, receive indication of a selection of an item in a user interface screen, see (14, user interface, fig. 1A, col. 3, lines 10-18); receiving selection of an item (monitoring attributes, for instance, CPU utilization, col. 3, lines 27-39) in the graphical user interface screen (col. 3, lines 26-35, user requests for viewing data); and in response to selection of the item, accessing database demographic information stored in a database system (i.e., querying monitored data

Art Unit: 2166

stored in each system (10 and 22-40 in fig. 1A-B), col. 3, lines 27-46) and displaying that information in graphical format displaying the database (CPU) demographics information in graphical format, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59, according to user selection for viewing monitored information (CPU utilization, database), fig. 4A-B shows database (CPU) demographic information in graphical format).

With respect to claim 18, Bertram discloses, receive the indication of the selection in a graphical user interface to provide the database demographics information for display in text view, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59).

With respect to claim 19, Bertram discloses, receive the indication of the selection in a graphical user interface, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59).

With respect to claim 20, Bertram discloses, the database demographics information for display in text view, see (col. 3, lines 19-57).

With respect to claim 21, Bertram discloses, interface between an application and the database, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59).

With respect to claim 22, Bertram discloses, interface as application interface, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59).

With respect to claim 23, Bertram discloses, interface as application program interface, see (fig. 4A-B, col. 8, lines 51-67, col. 3, lines 39-46).

With respect to claim 24, Bertram discloses, to display the database demographic information on a per-access module basis, see (fig. 4A-B, col. 8, lines 51-67).

With respect to claim 25, Bertram discloses, database demographics information in at least one of a chart format and a line mph format, see (fig. 6, col. 10, lines 1-21).

With respect to claim 26, Bertram discloses, database demographic information containing storage system utilization, see (fig. 4A-B, col. 8, lines 51-67).

With respect to claim 27, Bertram discloses, demographic information containing statistics information, see (fig. 4A-B, col. 8, lines 51-67, col. 3, lines 39-46).

With respect to claim 28, Bertram discloses, storage system utilization associated with each access module, see (fig. 4A-B, col. 8, lines 51-67).

With respect to claim 29, Bertram discloses, row count of a portion of the table store by each of the access modules, see (fig. 4A-B, col. 8, lines 51-67, fig. 6, col. 10, lines 1-21).

With respect to claim 30, Bertram discloses, average row size of rows of the portion of the table stored by each of the access modules, see (fig. 4A-B, col. 8, lines 51-67).

With respect to claim 31, Bertram discloses, distribution of a number of blocks on each access module, see (fig. 4A-B, col. 8, lines 51-67, fig. 6, col. 10, lines 1-21).

With respect to claim 32, Bertram discloses, first interface to a database system (col. 3, lines 26-35, 14, user interface, fig. 1A, col. 3, lines 10-18); receiving selection of an item (monitoring attributes, for instance, CPU utilization, col. 3, lines 27-39) in the graphical user interface (col. 3, lines 26-35, user requests for viewing data); and in response to selection of the item, accessing database demographic information stored in a database system (i.e., querying monitored data stored in each system (10 and 22-40 in fig. 1A-B), col. 3, lines 27-46) and to display the database demographic information in graphical format displaying the database (CPU) demographics information in graphical format in the user interface, see (fig. 4A-B, col. 8, lines 51-67 to col. 9, lines 1-59, according to user selection for viewing monitored information (CPU

utilization, database), fig. 4A-B shows database (CPU) demographic information in graphical format).

With respect to claim 33, Bertram discloses, graphical user interface screen to display dm database demographics information in graphical format, see (fig. 4A-B, col. 8, lines 51-67, fig. 6, col. 10, lines 1-21).

(11) Response to Argument

For claim 1 applicant argued that the references do not teach:

Bertram et al (U.S. Patent No. 6,369,820) does not disclose or suggest, "accessing database demographic information stored in a database system and displaying that information in graphical format".

However, examiner disagrees. The argument is not persuasive.

Bertram discloses, "Applications allow a user to query each system 10 and 22-40 and receive information relating to each system's monitors. Typically, each system 10 and 22-40 saves data for the monitor at specific time periods. When the user requests data for a monitor, the system 10 and 22-40 provide the data that has been saved to the user's system 10", see (col. 3, lines 39-46). The definition of *database* by the "Authoritative Dictionary of IEEE Standards Terms Seventh edition" is "collection of data stored in one or more computerized files in a manner that can be accessed by

Art Unit: 2166

users or computer program". Therefore, the system of Bertam includes database and the stored data is retrieved by user's accessing query. And Bertram discloses, "Once the data relating to the monitors are received, a user such as a network administrator typically desires to view the data on the display 18. One way of displaying this data is in the form of a graph of the monitor versus time. In the context of this application, "plotting" refers to graphically providing a value to the display 18. The user may wish to view trends in systems 10 and 22-40", see (fig. 1A-B, fig. 4A-B, col. 3, lines 47-58). This teaches that monitored data (demographic information) stored in database in systems 10 and 22-40 is displayed by user query in graphical format. Thus, Bertram teaches, accessing database demographic information stored in a database system and displaying that information in graphical format.

Art Unit: 2166

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Isaac Woo
May 10, 2006

Conferees:

John Breene, AU 2162
John Cottingham, AU 2111

Handwritten signatures of John Breene and John Cottingham. The signature of John Breene is on the left, and the signature of John Cottingham is on the right, overlapping the first one.

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